

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

RUBEN ROMERO,

Plaintiff,

v.

CV No. 21-0544 KG/DLM

CORE CIVIC, INC., *et al.*,

Defendants.

ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

This matter comes before the Court on Magistrate Judge Damian Martinez's Proposed Findings and Recommended Disposition (PFRD), filed September 11, 2023. (Doc. 201). In the PFRD, Judge Martinez recommended that discovery shall be reopened for six months from the date of any order adopting these Proposed Findings and Recommended Disposition for the purpose of allowing Plaintiff to take a second deposition of Peterson and conducting Rule 30(b)(6) deposition of CoreCivic corporate representative(s) and written discovery related to disciplinary records. Should Plaintiff's Counsel choose to take a second deposition of Peterson the costs related to the taking of that second deposition shall be paid by the CoreCivic Defendants and Peterson. The CoreCivic Defendants and Peterson shall pay the costs related to taking Peterson's March 15, 2022, deposition. The Court also recommends awarding Plaintiff his reasonable attorney's fees related to the filing of his Motion for Sanctions for Discovery Misconduct (Doc. 144). The parties were notified that written objections to the PFRD were due within fourteen (14) days of the date the PFRD was filed, which was September 25, 2023. *Id.* at 18. No objections were filed, and the deadline for doing so has passed. The recommendation of Judge Martinez is therefore adopted by this Court.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 201) are ADOPTED;
2. Plaintiff's Motion for Sanctions for Discovery Misconduct (Doc. 144) is denied in part and granted in part;
3. Discovery shall be reopened for six months from the date of this order for the purpose of allowing Plaintiff to take a second deposition of Peterson and conducting Rule 30(b)(6) deposition of CoreCivic corporate representative(s) and written discovery related to disciplinary records;
4. Should Plaintiff's Counsel choose to take a second deposition of Peterson the costs related to taking of that second deposition shall be paid by the CoreCivic Defendants and Peterson;
5. The CoreCivic Defendants and Peterson shall pay the costs related to taking Peterson's March 15, 2022, deposition; and
6. Plaintiff is awarded his reasonable attorney's fees related to the filing of his Motion for Sanctions for Discovery Misconduct (Doc. 144).


UNITED STATES DISTRICT JUDGE